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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:		: LIGHT TREATMENT DEVICE AND METHOD, IMAGING CASSETTE, DOSE MEASUREMENT MODULE AND RADIOLOGY APPARATUS
WIEDMANN		
Serial No.:	09/826,202	: Group Art Unit 2882
Filed:	04/04/2001	: Examiner: Craig E. Church

AMENDMENT UNDER 37 CFR 1.111

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office communication mailed 02/14/2002 please amend the application as follows:

IN THE CLAIMS

Enclosed herewith are amended claims 1 to 28.

REMARKS

Enclosed herewith is a Request for Continued Examination (RCE) for the above application and a Petition to Extend the term for response to 06/14/2003.

The Office communication mailed 02/14/2003 is indicated as FINAL. Hence this filing of a RCE.

CERTIFICATE OF MAILING OR TRANSMISSION

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Jay L. Chaskin

Date: June 2, 2003

Claims 1 to 44 are pending in the application. Claims 1 to 28 are rejected under 35 USC 112, first and second paragraph and under 35 USC 103; claims 29 to 44 to are allowed. The proposed drawing correction is approved. The specification is objected to under 35 USC 112, first paragraph.

Enclosed herewith is a Drawing Correction in accordance with the approval indicated by the Examiner.

The observation/remarks submitted with the amendment of November 14, 2002 are hereby incorporated in their entirety. Claims 1 to 5 and 7 to 25, 27 and 28 have been amended to recite the presence of the three features of: a source of light (or radiation), a detector and a filter (in the same manner as these features have been recited in allowed claims 29 to 44.) As exemplified in the description and drawings, the source may be intensifier 19 or 23; the filter is 21 or 25 and detector is 20 or 24, or equivalents thereof of the source, the detector or the filter.

In regard to claims 1, 2, 8, 14, 22 and 25, the Examiner observes that "light is not a tangible object and does not have a temperature". The applicant disagrees: light and radiation are tangible objects that have physical properties, including temperature, which can be and are measurable. Light and radiation has, among other measurable physical properties: frequency, wavelength, emissivity, luminosity, quantity, flux, absorption, reflectance, transmittance, attenuation, speed/velocity, refractive index, and pressure. As with other tangible object, a measurement of a physical property may not be a direct measurement but a relative or indirect measurement. The four physical laws, which, together, fundamentally describe the behavior of blackbody radiation are Kirchoff's Law; Planck's Law, Stefan-Boltzman Law; and the Wien Law. Each of these laws provide a measurable relationship between wavelength and temperature.

In regard to claims 2, 8, 14, 22, and 25, the term "shift" has been deleted. These claim now recite that the second part of the spectrum is dependent on temperature (see, for example, paragraphs [0030] and [0038] to [0040].

In regard to claims 1, 2, 8, 14, 22, and 25 the phrase "light emitter" has been amended to be recited as a source of light or radiation.

Claims 1 to 5 and 7 to 25, 27 and 28 have been further amended to remove indefiniteness, improve grammar and antecedent basis.

In regard to the rejection of claims 1 to 28 under 35 USC 103(a) over Quint, the Remarks made in the amendment of November 14, 2002 are fully applicable.

The applicant continues to disagree with the Examiner's observation on page 4 of the Office communication. The optical filter per se and the intensifier (source of radiation) per se can be considered independent of each other with independent physical and performance characteristics. The embodiments of the invention are directed to the matching of a combination of a filter having defined performance characteristics with an intensifier having defined performance characteristics.

The applicant requests reconsideration of the application as amended and a Notice of Allowance.

Respectfully submitted,

WIEDMANN

By _____

Jay L. Chaskin
Attorney for Applicant
Tel: 203-373-2867
Fax: 203-373-3991
e-mail: jay.chaskin@corporate.ge.com

Amended claims 1 to 5 and 7 to 25, 27 and 28 indicating the amendment:

1. A method for light treatment comprising: [,]

providing a source of light having an emission spectrum;

providing a detector which is sensitive to the emission spectrum;

providing a filter between the source and the detector, in which the light is filtered with a cutoff frequency such that a first part of the spectrum of the light emitted [by a light emitter] is preserved and a second part of the light spectrum is stopped, the first part of the spectrum being independent of temperature and the second part of the spectrum being [presenting a shift] dependent on temperature.

2. A device for light treatment comprising:

means for emission of light having a spectrum;

means for detecting which is sensitive to the emission spectrum; and

[a] means for filtering the light disposed intermediate the means for emission and the means for detecting, so that a first part of the spectrum of the light emitted [by a light emitter] is preserved, the first part of the spectrum being independent of temperature, and [so that] a second part of the light spectrum is stopped, the second part of the spectrum being [presenting a shift] dependent on temperature.

3. The device [Device] according to claim 2 [,] wherein the device is integrated with an intensifier.

4. The device [Device] according to claim 2 [,] wherein the [device it contains] means for filtering is arranged to be placed below a light intensifier on a [the] light path.

5. The device [Device] according to claim 4 [,] wherein the means for filtering is mounted in contact with the intensifier.

7. The device according to claim 4 [,] wherein the means for filtering is mounted in contact with the intensifier.

8. A radiological imaging cassette comprising:

means for emission of light having a spectrum;

means for detecting which is sensitive to the emission spectrum; and

[a] means for filtering the light disposed intermediate the means for emission and the means for detecting, so that a first part of the spectrum of the light emitted [by a light emitter] is preserved, the first part of the spectrum being independent of temperature, and [so that] a second part of the light spectrum is stopped, the second part of the spectrum being [presenting a shift] dependent on temperature.

9. The cassette [Cassette] according to claim 8 [,] wherein the cassette is integrated with an intensifier.

10. The cassette [Cassette] according to claim 8 [,] wherein the cassette [it] contains means for filtering arranged to be placed below a light intensifier on a [the] light path.

11. The cassette [Cassette] according to claim 10 [,] wherein the means for filtering is mounted in contact with the intensifier.

12. The cassette according to claim 8 [,] wherein the cassette contains an analog film.

13. The cassette according to claim 8 [,] wherein the cassette contains a digital light detector.

14. A measuring module containing a device comprising:

means for emission of light having a spectrum;

means for detecting which is sensitive to the emission spectrum; and

[a] means for filtering the light disposed intermediate the means for emission and the means for detecting, so that a first part of the spectrum of the light emitted [by a light emitter] is preserved, the first part of the spectrum being independent of temperature, and [so that] a second part of the light spectrum is stopped, the second part of the spectrum being [presenting a shift] dependent on temperature.

15. The module according to claim 14 [,] wherein the module is integrated with an intensifier.

16. The module according to claim 14 [,] wherein the module contains means for filtering arranged to be placed below a light intensifier on a [the] light path.

17. The module according to claim 16 [,] wherein the means for filtering is mounted in contact with the intensifier.

18. The module according to claim 14 [,] wherein the module contains a photomultiplier tube, the device being mounted above the photomultiplier tube.

19. The module according to claim 14 [,] wherein the module contains a light intensifier.

20. The module according to claim 18 [,] wherein the module contains a light intensifier.

21. The module according to claim 14 comprising means for guiding the light emanating from the [intensifier] means for emission.

22. A radiology apparatus [containing] comprising:

means for emission of radiation having a spectrum;

means for detecting which is sensitive to the emission spectrum; and

[a] means for filtering the [light] radiation disposed intermediate the means for emission and the means for detecting, so that a first part of the spectrum of the [light] radiation emitted [by a light emitter] is preserved, the first part of the spectrum being independent of temperature, and [so that] a second part of the [light] radiation spectrum is stopped, the second part of the spectrum being [presenting] a shift dependent on temperature.

23. The radiology apparatus according to claim 22 [,] wherein the cassette contains an analog film.

24. The radiology apparatus according to claim 22 [,] wherein the cassette contains a digital [light] radiation detector.

25. A radiology apparatus [containing] comprising:

means for emission of radiation having a spectrum;

means for detecting which is sensitive to the emission spectrum; and

a module containing a device comprising the means for filtering the [light] radiation disposed intermediate the means for emission and the means for detecting, so that a first part of the spectrum of the [light] radiation emitted [by a light emitter] is preserved, the first part of the spectrum being independent of temperature, and [so that] a second part of the [light] spectrum is stopped, the second part of the spectrum being [presenting a shift] dependent on temperature.

27. The radiology apparatus according to claim 25 [, device] wherein the device [contains] containing the means for filtering arranged to be placed below a light intensifier on [the light] a radiation path.

28. The radiology apparatus according to claim 25 [,] wherein the device [contains] containing the means for filtering is mounted in contact with the intensifier.